

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MINNIE PEARL McBRIDE o/b/o T.R.,

FEB 19 2008

LAWRENCE E. BAERMAN, CLERK
ALBANY

Plaintiff,

Civil Action No. 07-119
(LEK/GHL)

v.

MICHAEL J. ASTRUE,
COMMISSIONER
OF SOCIAL SECURITY,

CONSENT ORDER TO
REMAND PURSUANT TO
SENTENCE 4 OF
42 U.S.C. § 405(g)

Defendant.

This matter having been opened to the Court by GLENN T. SUDDABY, United States Attorney for the Northern District of New York, and Karen G. Fiszer, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken; and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this day of , 2008;

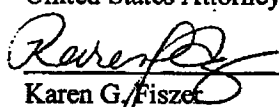
ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for further administrative action, and it is further

ORDERED that the within matter, be and hereby is, DISMISSED in accordance with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).

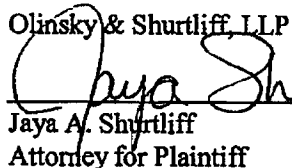

HON GEORGE H. LOWE, U.S. Magistrate Judge
United States District Court


The undersigned hereby consent to the form and entry of the within order.

Date: 2/11/08

GLENN T. SUDDABY
United States Attorney
By: 
Karen G. Fiszet
Special Assistant U.S. Attorney
Bar No. 513954

Date:

Olinsky & Shurtliff, LLP
By: 
Jaya A. Shurtliff
Attorney for Plaintiff
Bar No. 511422

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